

1 **JEFFREY B. SETNESS, ESQ.**
2 **Nevada State Bar No. 2820**
3 **FABIAN VANCOTT**
4 **411 East Bonneville Avenue, Suite 400**
5 **Las Vegas, Nevada 89101**
6 **Telephone: (702) 286-2626**
7 **Facsimile: (877) 898-1168**
8 **E-Mail: jsetness@fabianvancott.com**

9
10
11 *Attorneys for Plaintiff Farr Construction Corporation*
12
13

14 **UNITED STATES DISTRICT COURT**
15
16 **DISTRICT OF NEVADA**

17 **FARR CONSTRUCTION CORPORATION,
18 d/b/a RESOURCE DEVELOPMENT
19 COMPANY,**

20 **Case No. 2:24-CV-02064-JCM-MDC**

21 **Plaintiff,**

22 **STIPULATION AND [PROPOSED]
23 ORDER TO TRANSFER ACTION FROM
24 SOUTHERN DIVISION TO NORTHERN
25 DIVISION OF THE DISTRICT OF
NEVADA**

26 **vs.**
27 **UNITED STATES OF AMERICA,**

28 **Defendant.**

29
30 COMES NOW Plaintiff Farr Construction Corporation (“Plaintiff”) by and through its
31 counsel Jeffrey B. Setness of the law firm Fabian VanCott, and the United States of America
32 (“Defendant”), by and through its counsel Tijuhna A. Green of the U.S. Department of Justice – Tax
33 Division, and hereby stipulate to the transfer of this action from the unofficial Southern Division of
34 the District of Nevada to the unofficial Northern Division of the District of Nevada based upon the
35 following:

36 1. Local Rule 1A 1-6 entitled “Court Structure and Divisions of the District of Nevada”
37 states, that:

38 The State of Nevada constitutes one judicial district. The district has two unofficial
39 divisions:

40 Southern Division: Clark, Esmeralda, Lincoln and Nye counties.

41 Northern Division: Carson City, Churchill, Douglas, Elko, Eureka, Humboldt, Lander,
42 Lyon, Mineral, Pershing, Storey, Washoe and White Pine counties.

2. Local Rule 1A 1-8(a) entitled “Place of Filing” states, in pertinent part, that “. . . [a]ll other civil actions must be filed in the clerk’s office for the unofficial division of the court in which the action allegedly arose.”

3. The Complaint filed on November 5, 2024 (Doc. No. 1) states, in pertinent part, that:

6. Plaintiff is a Nevada corporation whose principal place of business is in Sparks, Washoe County, Nevada. Plaintiff is a contractor for property excavation, demolition, land clearing, and general grading services.

7. Defendant is the United States of America.

9 Given the fact that Plaintiff's principal place of business is in Sparks, Washoe County, Nevada, this
10 case should have been filed in the Northern Division. Counsel for Plaintiff mistakenly filed this
11 action in the Southern Division.

12 The United States does not waive any defenses under Fed. R. Civ. P. 12 by entering this
13 stipulation.

14 Based upon the foregoing, Plaintiff and Defendant stipulate to the transfer of this action from
15 the unofficial Southern Division to the unofficial Northern Division, and respectfully request that the
16 Court order such a transfer.

Respectfully submitted,

FABIAN VANCOTT

DATED: November 26, 2024

/s/ Jeffrey B. Setness

JEFFREY B. SETNESS, ESQ.

Fabian VanCott
411 E. 4th St.

411 East Bonneville Avenue, Suite 400
Las Vegas, Nevada 89101

Las Vegas, Nevada 89101
Telephone: (702) 286-1

Telephone: (708) 453-1000
Facsimile: (847) 340-2242

Fax: (877) 898-1168
E-mail: isetness@fabian.com

Attorneys for Plaintiff Farr Co.

Attorneys for Plaintiff Farr Construction Co.

///

111

///

111

Signature continued on next page

1 DATED: November 26, 2024

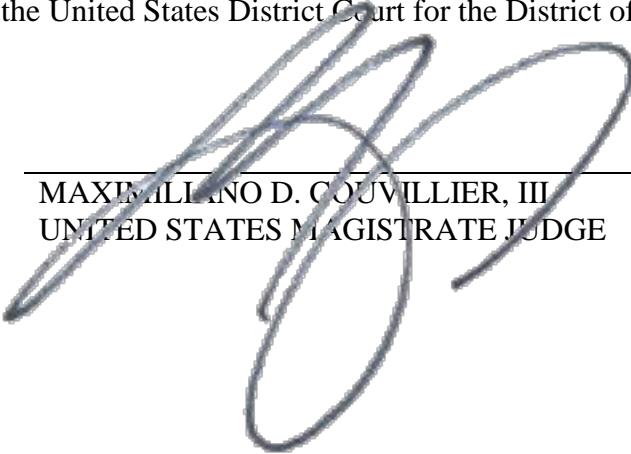
/s/ *Tijuhna A. Green*
2

TIJUHNA A. GREEN
3 Trial Attorney
U.S. Department of Justice, Tax Division
Civil Trial Section - Western Region
P.O. Box 683
4 Ben Franklin Station
Washington, DC 20044
Telephone: (202) 616-3340
Facsimile: (202) 307-0054
E-mail: Tijuhna.A.Green@usdoj.gov
5 *Attorneys for Defendant United States of America*
6

7 **ORDER**

8
9 Based upon the Stipulation of the parties and good cause appearing, it is hereby ordered that
10 this action be transferred from the Southern Division of the United States District Court for the
11 District of Nevada to the Northern Division of the United States District Court for the District of
12 Nevada.

13 DATED: November 27, 2024

14 
15 MAXMILLANO D. COUVILLIER, III
16 UNITED STATES MAGISTRATE JUDGE
17
18
19
20
21
22
23
24
25
26
27

1
CERTIFICATE OF SERVICE

2 I hereby certify that on this 26th day of November 2024, I served a true and correct copy of the
3 foregoing:

4 **STIPULATION AND [PROPOSED] ORDER TO TRANSFER ACTION FROM SOUTHERN
5 DIVISION TO NORTHERN DIVISION OF THE DISTRICT OF NEVADA**

6 on the following by the method(s) indicated below:

7 Tijuhna A. Green U.S. Mail, Postage Paid
8 Trial Attorney Hand Delivered
9 U.S. Department of Justice, Tax Division Certified Mail, Return
Civil Trial Section - Western Region Receipt Requested
P.O. Box 683 Facsimile
10 Ben Franklin Station CM/ECF E-Filing
Washington, DC 20044
Telephone: (202) 616-3340
Facsimile: (202) 307-0054
E-mail: Tijuhna.A.Green@usdoj.gov E-mail

15 */s/ Anna Gawens*
16 An Employee of
Fabian VanCott